

THIRTY-NINTH DAY

(Wednesday, March 17, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Howard
Alexander	Huddleston
Alsup	Hull
Amos	Hyder
Baker	Jackson
Bates	Johnson of Ellis
Beckworth	Johnson
Blankenship	of Tarrant
Boethel	Jones of Angelina
Bond	Jones of Falls
Boyer	Jones of Wise
Bradbury	Keefe
Bradford	Kelt
Bridgers	Kenyon
Brown	Kern
Burton	King
Cagle	Knetsch
Callan	Langdon
Carssow	Lankford
Cathey	Lanning
Cauthorn	Leath
Celaya	Leonard
Cleveland	Leyendecker
Colquitt	Little
Davis of Jasper	Loggins
Davison of Fisher	London
Davison	Lucas
of Eastland	Mann
Dean	Mauritz
Deglandon	Mays
Derden	McConnell
Dickson	McCracken
Dollins	McDonald
England	McFarland
Farmer	McKee
Felty	McKinney
Fielden	Moffett
Fox	Monkhouse
Fuchs	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Palmer
Hardin	Patterson of Mills
Harper	Patterson
Harrell	of Travis
Harris of Archer	Petsch
Harris of Dallas	Pope
Harris of Dickens	Powell
Hartzog	Prescott
Heflin	Quinn
Herzik	Ragsdale
Holland	Reader
Hoskins	Reed of Bowie

Reed of Dallas	Smith of Tarrant
Rhodes	Stevenson
Riddle	Stinson
Roark	Stocks
Ross	Talbert
Russell	Tarwater
Rutta	Tennant
Schuenemann	Tennyson
Settle	Thornton
Sewell	Thornberry
Sharpe	Vale
Shell	Waggoner
Simpson	Walker
Skaggs	Weldon
Smith of Hopkins	Westbrook
Smith	Winfree
of Matagorda	Wood

Absent

Jones of Atascosa

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalf
Davis of Haskell	Worley
Graves	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Metcalfe for today, on motion of Mr. Morris.

Mr. Worley for today, on motion of Mr. Thornton.

Mr. Keith for today, on motion of Mr. Keefe.

The following Members were granted leaves of absence on account of illness:

Mr. James for today, on motion of Mr. Johnson of Ellis.

Mr. Bell for today, on motion of Mr. Boethel.

Mr. Adkins for today, on motion of Mr. Jones of Falls.

Mr. Davis of Haskell for today, on motion of Mr. Rhodes.

Mr. Graves for today, on motion of Mr. Petsch.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and

referred to the appropriate committees, as follows:

By Mr. Bradford:

H. B. No. 1000, A bill to be entitled "An Act creating County Wide Equalization School Districts in counties having a population of not more than 4,600 nor less than 4,590 according to the last preceding Federal Census and an area of more than 800 square miles and less than 850 square miles and containing not more than two independent school districts, which said independent school districts do not comprise all of the area contained in said counties and within which counties and beyond the limits of said school districts there reside scholastic pupils; ... etc., and declaring an emergency."

Referred to the Committee on Education.

By Mr. Patterson of Travis:

H. B. No. 1002, A bill to be entitled "An Act to fix salaries and compensation of County Commissioners in counties with a population of not less than 77,600 inhabitants nor more than 88,000 inhabitants according to the last Federal Census, as same now exists or may hereafter exist, and/or having an assessed valuation of not less than \$40,000,001.00 nor more than \$50,000,000.00, according to the last approved tax rolls, as same now exists or may hereafter exist, and providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; and repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Winfree moved to introduce, at this time, and have placed on first reading, House Bill No. 1001.

The motion prevailed by the following vote:

Yeas—115

Alexander	Carsow
Alsup	Cathey
Amos	Cauthorn
Baker	Cleveland
Blankenship	Colquitt
Boethel	Davis of Jasper
Boyer	Davison of Fisher
Bradbury	Davison
Bradford	of Eastland
Brown	Deglandon
Burton	Derden
Cagle	Dickison
Callan	Felty

Fielden	Moffett
Fox	Monkhouse
Fuchs	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Patterson of Mills
Harper	Patterson
Harrell	of Travis
Harris of Archer	Petsch
Harris of Dallas	Pope
Harris of Dickens	Powell
Heflin	Prescott
Herzik	Quinn
Holland	Ragsdale
Hoskins	Reader
Huddleston	Reed of Bowie
Hull	Reed of Dallas
Hyder	Rhodes
Johnson of Ellis	Riddle
Johnson	Roark
of Tarrant	Russell
Jones of Angelina	Rutta
Jones of Falls	Schuenemann
Jones of Wise	Sharpe
Keefe	Shell
Kelt	Simpson
Kern	Skaggs
King	Smith of Hopkins
Knetsch	Smith
Langdon	of Matagorda
Lankford	Stevenson
Lanning	Stinson
Leonard	Stocks
Leyendecker	Talbert
Little	Tarwater
Loggins	Tennant
London	Tennyson
Lucas	Thornberry
Mann	Thornton
Mauritz	Vale
Mays	Waggoner
McConnell	Weldon
McDonald	Westbrook
McFarland	Winfree
McKee	Wood
McKinney	

Absent

Bates	Jackson
Beckworth	Jones of Atascosa
Bond	Kenyon
Bridgers	Leath
Celaya	McCracken
Dean	Oliver
Dollins	Palmer
England	Ross
Farmer	Settle
Harbin	Sewell
Hardin	Smith of Tarrant
Hartzog	Walker
Howard	

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalf
Davis of Haskell	Worley
Graves	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Winfree:

H. B. No. 1001, A bill to be entitled "An Act to amend Article 1005 of the Code of Criminal Procedure of the State of Texas of 1925, and Article 1006 of the Code of Criminal Procedure of the State of Texas of 1925, as amended by Chapter 162, Section 1, page 412, of the Acts of the Forty-fourth Legislature, 1935, and to add Sections to be known as 1005a and 1006a so as to provide that the Sheriff of any county of this State shall, with the approval of the Criminal District Judges of such county, or district, or, if there be no district courts of exclusively criminal jurisdiction, then with the approval of the District Judges of said county or district, notify the Governor of the State of Texas of any person charged with an offense in said county who has fled to another state or territory; . . . etc., and declaring an emergency."

Referred to the Committee on Counties.

Mr. Jones of Wise moved to introduce, at this time, and have placed on first reading, House Bill No. 1003.

The motion prevailed by the following vote:

Yeas—110

Alexander	Cauthorn
Amos	Cleveland
Baker	Colquitt
Beckworth	Davis of Jasper
Blankenship	Davison of Fisher
Boethel	Deglandon
Bond	Derden
Boyer	Dickison
Bradbury	Dollins
Bradford	England
Bridgers	Farmer
Brown	Fielden
Burton	Fox
Cagle	Fuchs
Callan	Gibson
Carssow	Hamilton
Cathey	Hankamer

Hanna	Moffett
Harbin	Monkhouse
Hardin	Morris
Harper	Morse
Harrell	Newton
Harris of Dallas	Patterson of Mills
Harris of Dickens	Patterson
Hartzog	of Travis
Heflin	Petsch
Herzik	Pope
Holland	Powell
Huddleston	Prescott
Hull	Quinn
Hyder	Ragsdale
Johnson of Ellis	Reader
Johnson	Reed of Bowie
of Tarrant	Rhodes
Jones of Angelina	Roark
Jones of Falls	Russell
Jones of Wise	Rutta
Keefe	Schuenemann
Kelt	Sharpe
Kern	Shell
King	Simpson
Knetsch	Skaggs
Langdon	Smith of Hopkins
Lankford	Smith of Tarrant
Lanning	Stinson
Leonard	Stocks
Leyendecker	Talbert
Loggins	Tarwater
London	Tennant
Lucas	Tennyson
Mann	Thornberry
Mauritz	Thornton
Mays	Vale
McConnell	Waggoner
McDonald	Weldon
McKinney	Westbrook

Nays—4

McKee	Reed of Dallas
Nicholson	Wood

Absent

Alsip	Little
Bates	McCracken
Celaya	McFarland
Davisson	Oliver
of Eastland	Palmer
Dean	Riddle
Felty	Ross
Harris of Archer	Settle
Hoskins	Sewell
Howard	Smith
Jackson	of Matagorda
Jones of Atascosa	Stevenson
Kenyon	Walker
Leath	Winfree

Absent—Excused

Adkins	Broadfoot
Bell	Davis of Haskell

Graves
James
Keith

Metcalf
Worley

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Jones of Wise:

H. B. No. 1003, A bill to be entitled "An Act amending Chapter 41, Acts, Fifth Called Session, Forty-first Legislature, so as to provide for the rendition of petroleum tank cars, and the apportionment of the value of such petroleum tank cars to the counties."

Referred to the Committee on Revenue and Taxation.

Mr. Westbrook moved to introduce, at this time, and have placed on its first reading, House Bill No. 1004.

The motion prevailed by the following vote:

Yeas—120

Alexander	Harrell
Alsup	Harris of Archer
Amos	Harris of Dickens
Baker	Hartzog
Blankenship	Heflin
Boethel	Herzik
Bond	Holland
Bradbury	Hoskins
Bradford	Howard
Bridgers	Huddleston
Brown	Hull
Burton	Hyder
Cagle	Jackson
Callan	Johnson
Carssow	of Tarrant
Cathey	Jones of Angelina
Cauthorn	Jones of Falls
Celaya	Jones of Wise
Cleveland	Keefe
Davis of Jasper	Kelt
Davison of Fisher	Kenyon
Deglandon	Kern
Derden	King
Dickison	Knetsch
Dollins	Langdon
England	Lankford
Farmer	Lanning
Felty	Leath
Fielden	Leonard
Fox	Leyendecker
Fuchs	Little
Gibson	Loggins
Hamilton	London
Hankamer	Lucas
Hanna	Mann
Harbin	Mauritz
Hardin	Mays
Harper	McConnell

McDonald	Schuenemann
McKee	Sharpe
McKinney	Shell
Moffett	Simpson
Monkhouse	Skaggs
Morris	Smith of Hopkins
Morse	Smith
Newton	of Matagorda
Nicholson	Smith of Tarrant
Oliver	Stinson
Patterson of Mills	Stocks
Patterson	Talbert
of Travis	Tennant
Petsch	Tennyson
Pope	Thornberry
Powell	Thornton
Quinn	Vale
Ragsdale	Waggoner
Reed of Bowie	Walker
Reed of Dallas	Weldon
Rhodes	Westbrook
Roark	Winfree
Russell	Wood
Rutta	

Absent

Bates	McFarland
Beckworth	Palmer
Boyer	Prescott
Colquitt	Reader
Davisson	Riddle
of Eastland	Ross
Dean	Settle
Harris of Dallas	Sewell
Johnson of Ellis	Stevenson
Jones of Atascosa	Tarwater
McCracken	

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalf
Davis of Haskell	Worley
Graves	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Westbrook, Mr. McKinney, Mr. Oliver, Mr. Loggins, Mr. Davis of Jasper, Mr. Jones of Angelina and Mr. Ragsdale:

H. B. No. 1004, A bill to be entitled "An Act providing that the Commissioners' Court of any county wherein the United States Government has or shall hereafter purchase at least twenty-five (25%) per cent in area of the land in said county for reforestation and other purposes, may, with the consent of the Board of County and District Road Indebtedness and

the holders of at least eighty (80%) per cent of the bonds hereinafter described, refund, under the provisions of existing law, the road bonds of any such county or of any road district or political subdivision thereof; . . . etc., and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

Mr. Bond moved to introduce, at this time, and have placed on first reading, House Bill No. 1005.

The motion prevailed by the following vote:

Yeas—116

Alexander	Jones of Angelina
Alsup	Jones of Falls
Amos	Jones of Wise
Baker	Keefe
Beckworth	Kelt
Blankenship	Kenyon
Boethel	Kern
Bond	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Brown	Leath
Burton	Leonard
Cagle	Leyendecker
Callan	Little
Cathey	Loggins
Cauthorn	London
Cleveland	Lucas
Colquitt	Mauritz
Davis of Jasper	Mays
Davison of Fisher	McConnell
Davisson	McDonald
of Eastland	McFarland
Deglandon	McKee
Derden	McKinney
England	Moffett
Felty	Monkhouse
Fielden	Morris
Fox	Morse
Fuchs	Newton
Gibson	Nicholson
Hamilton	Oliver
Hankamer	Patterson of Mills
Hanna	Patterson
Hardin	of Travis
Harper	Pope
Harris of Dickens	Powell
Hartzog	Prescott
Heflin	Quinn
Herzik	Reader
Hoskins	Reed of Bowie
Howard	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
Jackson	Roark
Johnson of Ellis	Ross
Johnson	Russell
of Tarrant	Rutta

Schuenemann	Tarwater
Settle	Tennant
Sharpe	Tennyson
Shell	Thornberry
Simpson	Thornton
Skaggs	Vale
Smith of Hopkins	Waggoner
Smith	Walker
of Matagorda	Weldon
Smith of Tarrant	Westbrook
Stocks	Winfree
Talbert	Wood

Nays—1

Harrell

Present—Not Voting

Harbin

Absent

Bates	Huddleston
Boyer	Jones of Atascosa
Carsow	King
Celaya	Mann
Dean	McCracken
Dickison	Palmer
Dollins	Petsch
Farmer	Ragsdale
Harris of Archer	Sewell
Harris of Dallas	Stevenson
Holland	Stinson

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Bond:

H. B. No. 1005, A bill to be entitled "An Act amending Title 25 of Article 911b, Section 6, paragraph (d) of Vernon's Annotated Texas Statutes by providing that the Railroad Commission of Texas may issue special permits to transport used office furniture and equipment for hire by motor vehicles, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

**ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
SENATE BILL NO. 1**

Mr. Alexander, Chairman, submitted the following conference committee report on Senate Bill No. 1:

Committee Room,

Austin, Texas, March 16, 1937.

Honorable Walter F. Woodul,
President of the Senate.

Honorable R. W. Calvert,
Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and House on Senate Bill No. 1, have had the same under consideration, and beg leave to report it back to the Senate and House with the recommendation that Senate Bill No. 1 be adopted in the form hereto attached.

Very respectfully,

BURNS,
PACE,
AIKIN,
BROWNLEE,
HOLBROOK,

On the part of the Senate.

McKINNEY,
ALEXANDER,
THORNBERRY,
BAKER,
KNETSCH,

On the part of the House.

S. B. No. 1,

**A BILL
To Be Entitled**

An Act repealing Article 6203, Revised Civil Statutes of 1925, as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session, Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session of the Forty-first Legislature, creating a Board of Pardons and Paroles, fixing their terms of office, providing a method of appointment thereto and authorizing recess appointments; providing for the relinquishment of all equipment and supplies by the old Board to the new Board; limiting the power of the Governor in the matter of reprieves, commutations of punishment and pardons; providing for one reprieve of not more than thirty (30) days in any capital case; empowering the Governor to revoke paroles and other forms of clemency; fixing the salaries of the

members of the Board of Pardons and Paroles and providing for traveling expenses and accommodations, and empowering them to employ a secretary who shall also be designated as State Parole Supervisor and other employees; providing for organization of the Board; and providing that the Chairman shall be appointed by the Governor; providing for removal of Board members for cause; providing for maintenance of offices; providing for fixing the amount of days said Board shall spend on Prison properties; providing that members of said Board shall devote all of their time to said duties; and fixing the penalty for violation thereof; granting authority to Board to promulgate rules and regulations; empowering the Governor to appoint non-paid County Parole Boards, and citing their duties; providing for a parole supervisor and citing his duties; providing for probation officers to become parole officers; providing that the Board of Pardons and Paroles shall determine which prisoners shall be released from the penitentiary before the expiration of their maximum term; providing for regular meetings of the Board; providing that certain factors are to be considered in cases where parole is under consideration; providing considerations in the matter of pardons; citing powers of the Board in all cases; providing that the General Manager of the Texas Prison System, in so far as his records will allow, furnish the Board of Pardons and Paroles with a complete social and criminal record of each prisoner in his charge; providing that the General Manager shall furnish list of men eligible for parole to the Board; providing that prisoners eligible for parole shall be supplied with application forms; determining how prisoners serving sentence in the penitentiary shall become eligible for parole, and the manner and conditions of release; providing limitations upon eligibility for parole of persons whose sentences are commuted from death to life sentence; providing for furloughs and limiting length of time they may be granted; and giving applications for furlough precedence on the docket of the Board; providing for personal interview by

the Board or any designated member thereof with persons eligible for parole; providing procedure in case of prisoner violating prison rules prior to release on parole; providing for the Board to specify the conditions of parole; providing for clothing, transportation, and money for prisoners released on parole; authorizing apprehension of persons who have violated or are about to violate terms of parole; providing for hearings of retaken and returned parole violators; providing the method of computing a prisoner's time served; providing for imposition of unserved term in cases where felony is committed while prisoner is on parole; providing for discharge while on parole; establishing a method of application for restoration of citizenship and full rights and privileges of suffrage; providing for automatic restoration of rights of citizenship in certain cases; providing for filing proclamation or release form by the Governor with Secretary of State in which reasons for granting or denying parole or clemency are set out; providing for appropriation to effectuate Act until September 1, 1937; declaring that if any part of this Act shall be held unconstitutional or invalid the remainder shall remain in effect and force, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Repealing Clause. That Article 6203, Revised Civil Statutes of 1925, as amended by Chapter 147, Acts of the Fortieth Legislature; Chapter 45, Acts of the First Called Session, Forty-first Legislature; Chapter 9, Acts of the Fourth Called Session, Forty-first Legislature; and by Chapter 11, Acts of the Fifth Called Session of the Forty-first Legislature; Chapter 4 of Title 12, being Articles 952 to 967, inclusive, of the Code of Criminal Procedure, 1925, and all other laws in conflict herewith, be and the same are hereby repealed.

Sec. 2. Board of Pardons and Paroles Created. There is hereby created a Board of Pardons and Paroles, hereinafter referred to as the Board, to be composed of three (3) members who shall have been resident citizens of the State of Texas for a period of not less than two (2) years immediately preceding such appoint-

ment, each of whom shall hold office for a term of six (6) years; provided that of the members of the first Board appointed, one shall serve for two (2) years, one for four (4) years, and one for six (6) years from the first day of February, 1937, and they shall cast lots for their respective terms. One member of said Board shall be appointed by the Governor, one member by the Chief Justice of the Supreme Court of the State of Texas, and one member by the Presiding Justice of the Court of Criminal Appeals; the appointments of all members of the said Board shall be with the advice and consent of two-thirds of the Senate present. Each vacancy shall be filled by the respective appointing power that theretofore made the appointment to such position and the appointing power shall have the authority to make recess appointments until the convening of the Senate. Provided further that the members of said Board shall devote all of their time to the duties of said office, and they shall not receive any retainer, money, fee, commission, or anything of value for representing any person or corporation or association of persons in the Courts of this State or before said Board, and shall not accept, contract, or perform any other employment or outside service whatsoever.

Sec. 2-a. Duties of Old Board. After the Board, as created and appointed under said constitutional amendment, have taken the oath of office, the outgoing Board of Pardons and Paroles, shall deliver to the incoming Board, all files, stationery, office furniture, fixtures, and all other property of every kind and character in its possession and held by said Board under the law creating same.

Sec. 3. Power of the Governor. In all criminal cases, except treason and impeachment, the Governor shall have power, after conviction, upon the written signed recommendation and advice of the Board, or a majority thereof, to grant reprieves, commutations of punishment and pardons, under such rules as the Legislature may prescribe. Upon the written signed recommendation and advice of the Board, or a majority thereof, he shall have the power to remit fines and forfeitures. The Governor shall have the power to grant one reprieve in any capital case for a period not to exceed thirty (30) days; and, upon the written signed

recommendation and advice of the Board, or a majority thereof, he shall have the power to revoke paroles and other forms of clemency, save and except unconditional pardons.

Sec. 4. Salary of Members. Each member of the Board shall receive an annual salary of Three Thousand (\$3,000.00) Dollars and such traveling expenses and accommodations as are necessary and incurred in the discharge of his official duties. The Board shall have the power to employ and prescribe the duties of a secretary who shall also be designated as the State Supervisor of Parole and as such charged with the duties of supervision of parolees as hereinafter set out, and such other employees as may be necessary.

Sec. 5. Organization of Board. The Governor shall designate the Chairman of the Board who shall serve during said member's tenure of office. The Chairman may assign individual members such special duties as may be deemed expedient to its functioning in accordance with the rules and regulations hereinafter provided.

Sec. 6. Removal of Board Members. If any member of the Board shall be guilty of malfeasance, misfeasance, or nonfeasance in office or shall become incapable or unfit to discharge his official duties, or shall wilfully fail, refuse, or neglect the discharge of the duties of his office, such member may be removed from office by impeachment by the Legislature.

Sec. 7. Location of Board. The Board shall maintain its office at such place as it shall find most convenient and appropriate for the performances of its duties and to effectuate the purposes of this Act. A majority of the Board shall constitute a quorum in the transaction of business, and no order of the Board shall be valid unless concurred in by at least two of its members. The Board shall make all necessary rules and regulations governing the discharge of its duties in so far as they do not conflict with any provisions of this Act.

Sec. 8. County Parole Boards. In further aid of this Act, and for the protection of the public and parolees under it, the Governor of Texas, may, when it takes effect, and every two (2) years thereafter, appoint in each county of this State, not less than three (3) nor more than ten (10) citizens who shall constitute the County Parole Board of the county designated.

Persons thus appointed shall be of known integrity and unimpeachable character, have the welfare of society and the rehabilitation of parolees at heart. They shall organize immediately after their appointment by the selection of one of their number chairman and another secretary. It shall be the duty of the secretary to immediately notify the Board of Pardons and Paroles of the organization of the Board, the names of its chairman and secretary, and the name and address of each respective member thereof. Each member shall qualify by taking the Constitutional oath of office and file the same immediately with the Secretary of State of the State of Texas, who shall then issue a commission of office to each member, signed by the Governor of Texas, attested by the Secretary of State of Texas and the seal of the State of Texas shall be affixed thereto. No fee shall be charged for this service by the Secretary of State. Members of County Parole Boards shall serve without pay.

Sec. 8-a. Parole Supervisor. For the purpose of directing and assisting parole officer, County Parole Boards, or other supervisory agencies, now or hereafter created, the Board shall designate the Secretary of the Board of Pardons and Paroles as State Parole Supervisor, who shall have had experience in probation or parole supervision and shall have been a citizen of Texas for at least five (5) years. He shall perform such duties as are prescribed by law or the Board and shall receive an annual salary of Two Thousand Four Hundred (\$2,400.00) Dollars.

Sec. 8-b. Duties of Parole Supervisor. It shall be the duty of the State Parole Supervisor, in addition to complying fully with all provisions relative to his office and mentioned elsewhere in this Act, to keep a register of all parolees; to see that all provisions of this Act relative to prisoners released and at liberty on parole are faithfully carried out and observed; to counsel and advise, at such times as may be necessary, all such prisoners in the manner of rehabilitation best suited to each, and to endeavor, in so far as possible, to secure employment for all such prisoners before their release on parole.

Sec. 8-c. Parole Officers. For the purpose of supervision of persons on

parole it is hereby provided that any probation officers paid out of State funds shall also serve as parole officers. This shall apply to any such officers now existing, or to be created by subsequent enactment. It is specifically provided that if enabling Statutes are enacted to place in effect the Constitutional Amendment voted by the people of Texas in 1935, amending Article IV of the Constitution by adding thereto between Sections 11 and 12 a new Section known as Section 11-a, which authorizes District Judges having criminal jurisdiction to place defendants on probation, that any probation officers appointed under such an Act are hereby declared Parole Officers and subjected to duties to be imposed by the Board of Pardons and Paroles and the State Supervisor of Paroles. Any such probation officer hereinabove referred to shall be referred to as a probation and parole officer.

Sec. 9. Duty of Board. It shall be the duty of the Board to determine which prisoners serving sentence in the penitentiary of this State, or any branch thereof, shall be released therefrom before the expiration of their maximum terms, under the provisions of this Act.

Sec. 10. Regular Meetings. At such times and places as may be necessary, the Board shall hold regular meetings for the purpose of determining which of the eligible prisoners shall be paroled and, at each meeting, may cause such prisoners to personally appear before it, or any designated member thereof, for interview. There shall be at hand at such interview a complete and detailed case history of each prisoner.

Sec. 11. Consideration for Parole. In the consideration of cases for parole, the Board shall determine from probation and parole officers, where practicable, and from county parole boards such facts regarding the applicant for parole as cannot be determined from the official Court records. Such reports shall attempt to determine the home conditions of the applicant, the probability of obtaining employment and the desirability of his returning to his former home, and such other information as the Board may require. In addition, the docket shall contain the report of the Bureau of Classification together with the prisoner's record with such

comments as the Warden or General Manager of the Penitentiary shall have to make.

Sec. 11-a. Pardons. In consideration of applications for pardons the Board shall consider the facts, or unusual, outstanding, and meritorious public service performed which deserve special consideration and clemency.

Sec. 11-b. Power of Board. The Board shall have the power at any time to recommend any form of clemency, conditional or otherwise, they may see fit irrespective of the proportion or amount of the sentence served; provided further that no prisoner shall be released on parole while suffering from a venereal disease in a contagious form, except in cases where the Prison physician certifies that such release is necessary to such prisoner's complete recovery as hereinafter provided.

Sec. 12. Duty of Prison Manager. It shall become the duty of the General Manager of the Texas Prison System, in so far as his records will allow, to provide the Board with a complete social and criminal record of each prisoner in his charge, including all data assembled by the Bureau of Classification, together with a record of such prisoner's previous arrests and convictions, a statement of his physical and mental condition and a complete and detailed record of his conduct while in prison.

Sec. 12-a. Furnish List of Eligibles. The Prison Manager shall, on or about the first day of each month, report to the Board the names of all prisoners who will become eligible for consideration for parole within the next sixty (60) days, and whose names have not been previously reported by him for said period.

Sec. 12-b. Supply Prisoners with Application Forms. The Prison Manager shall cause to be printed blank applications for parole, and furnish same to prisoners in the penitentiary at least sixty (60) days before they become eligible to be considered for parole. The form of the application shall be prescribed by the Board.

Sec. 12-c. Applications for Paroles. Any prisoner may make application for parole at least thirty (30) days before he will become eligible to be considered for parole, if he desires to do so. However, each prisoner when eligible shall be considered for parole

by the Board whether he applies for same or not.

Sec. 13. Eligibility for Parole. Every prisoner sentenced to an indeterminate sentence and now confined in the penitentiary, or hereafter sentenced thereto on an indeterminate sentence, when he shall have to his credit a period of time equal to the minimum term of the sentence imposed upon him for the crime, or crimes, of which he was convicted, shall be eligible for parole and every prisoner now confined in the penitentiary on a definite sentence, shall, under the provisions of this Act, be deemed eligible for parole when he shall have to his credit a period of time equal to one-third of the term, or terms, for which he was sentenced, except as hereinafter provided.

Sec. 13-a. Eligibility of Long Term Convicts. Every prisoner sentenced to an indeterminate sentence, the maximum term of which is thirty (30) years or more, and now confined in the penitentiary, or any prisoner hereafter sentenced thereto on such indeterminate sentence, and every prisoner sentenced to a definite sentence, the term of which is thirty (30) years or more, and now confined in the penitentiary, or any prisoner hereafter sentenced thereto on such definite sentence, when he shall have to his credit a period of time equal to ten (10) years, shall be deemed eligible for parole.

Sec. 13-b. Escapee's Eligibility. No prisoner incarcerated in the penitentiary of this State, who is guilty of escape shall become eligible for parole except at the discretion of the Board.

Sec. 13-c. Commutation from Original Death Sentence. No prisoner whose sentence has been commuted to life imprisonment from an original death sentence shall become eligible for parole until ten (10) calendar years have elapsed from and after the date such life sentence became effective.

Sec. 14. Furloughs. Only Emergency Granted. It is hereby provided that the Governor may, upon the recommendation of the Board or a majority thereof, grant furloughs in emergency cases. The Board alone shall determine in each instance whether the case is an emergency one; but in no event shall furloughs be recommended and granted for more than thirty (30) days at any one

period and not more than two thirty (30) day furloughs shall be granted to any one prisoner over a period of six (6) months. Provided further, that the time spent on furlough by a convict shall not be credited as time served on his sentence. Applications for furlough shall be given preference on the docket of the Board.

Sec. 15. It shall be the duty of and mandatory upon the Board to personally interview each prisoner not later than ninety (90) days after such prisoner has under the terms of this Act become eligible for parole and has made application therefor. In considering a prisoner for parole, the Board shall comply with all provisions of this Act, governing this Act, and shall consider among other things the prisoner's conduct while in the penitentiary; his ability to tell the truth, his perspective in so far as can be determined in regard to crime and all facts relative thereto; his record, if he is a recidivist, during any and all former incarceration; his ability to obtain suitable employment upon his release; and, provided further that said Board shall take notes at such interview; and it shall be mandatory upon said Board to visit and spend fifteen (15) calendar days of each month upon prison properties personally interviewing said convicts, and said interviews must be taken at the units of the Prison System where the convict is confined; and that said Board Members shall, under oath, on the first of each month file a written report with the Secretary of State showing the number of days devoted to said work on the different units of the Prison System, the number of convicts interviewed, giving their name, number, and what disposition has been made of such applications for executive clemency. If any member of said Board shall violate any provision of this section, he shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than One Hundred (\$100.00) Dollars and not more than One Thousand (\$1,000.00) Dollars.

Sec. 16. Prisoners Violating Prison Rules. If any prisoner to whom parole is allowed shall, before his release thereunder, violate any of the rules or regulations of the penitentiary, the action of the Board shall become null and void, and such prisoner shall not again be considered for parole until

he has, under the provisions of this Act, once more become eligible.

Sec. 17. Conditions of Parole. The Board shall, upon granting a parole to any prisoner, impose such conditions as it may deem right and proper in each particular case. It shall be the duty of the Board to specify in writing the conditions under which a prisoner is released on parole and to present such prisoner with a copy of such conditions, the original of which shall be filed in the Bureau of Records and Identification of the State Penitentiary at Huntsville, Texas, a copy to the Secretary of the County Parole Board to whom such prisoner may be paroled, and a copy of which shall be retained by the Board for its file in each case. The Board shall adopt general rules with regard to conditions of parole and violation of same, and may make special rules to govern or apply to particular cases. Such rules shall include that, among other things, the prisoner released shall abandon evil associates and ways, contribute to the support of his dependents, if any, carry out of the instructions of the Parole Supervisor or County Parole Board and report as required, when and by such methods as shall be specified, conduct himself in all ways in an exemplary manner and remain in the State unless privileged by the Board to journey elsewhere.

Sec. 18. Clothing, Transportation, Money to be Furnished Parolee. Whenever, under the provisions of this Act, any prisoner is released on parole, penitentiary authorities shall furnish and provide each prisoner with a like suit of clothes as is given a discharged prisoner, together with a railway or bus ticket, from the place of his release to any place in the State designated by the Board, and the sum of Ten (\$10.00) Dollars in cash.

Sec. 19. Lapse of Parolee. If the parole supervisor shall have reasonable cause to believe that any prisoner at liberty on parole has lapsed or is about to lapse into criminal ways or company, or has violated the conditions under which he is at liberty, he shall personally conduct an investigation into the matter; and if in his judgment the welfare of society demands it, he may under his authority as parole supervisor immediately arrest such parole violator and return him to prison, or the Board may, if its findings so dictate, issue a war-

rarrant causing such prisoner to be retaken and returned to the main branch of the penitentiary of this State. It shall become the duty of any officer authorized to serve criminal process, or any peace officer to whom such warrant shall be delivered, to arrest such prisoner and deliver him to an agent of the penitentiary who shall return said prisoner to the main branch of the penitentiary as designated in said warrant, where such prisoner shall await the action of the Board.

Sec. 20. Hearing For Parole Violator. When a prisoner is returned as a parole violator the Board shall, as soon thereafter as practical, consider the case of such violator when so requested by the prisoner whose parole had been revoked who shall be allowed to personally appear before it and explain the charges made against him. The Board shall then act upon the charges in accordance with its findings and may, if its findings so dictate, cause such violator to serve out the remainder of his original maximum term, and time owed shall be counted as from the date such prisoner was released on parole.

Sec. 21. Computing Prisoner's Time. In computing a prisoner's time served, under the provisions of this Act, all commutation time and overtime which such prisoner may have earned for good behavior and for overtime service under the laws of this State shall be considered, except as hereinbefore specified.

Sec. 22. Felony Committed on Parole. Any prisoner convicted of a felony committed while at liberty on parole shall be made to serve, in addition to the term or terms which may be imposed upon him for such felony, the remainder of the maximum term of his original sentence, or such portion thereof as the Board may deem right and proper, and no such prisoner shall again become eligible for parole except at the discretion of the Board.

Sec. 23. Discharge While on Parole. No prisoner at liberty on parole shall be discharged, pardoned, or in any other manner released from the conditions of his parole prior to the expiration of the maximum term of his sentence, except in such cases where the Board, after a complete and detailed investigation, shall have determined that such action is in the

best interests of both society and the prisoner, but in no case shall this apply until the prisoner has faithfully complied with the terms of his parole for a period of at least two (2) calendar years. The Board, however, may allow a prisoner to cease reporting and may also allow such prisoner to leave the State and country.

Sec. 24. Restoration of Citizenship. Any prisoner at liberty on parole, having conducted himself in all ways in an exemplary manner for a period of not less than two (2) calendar years immediately succeeding his release, may present to the Board a certificate attesting to such conduct signed by twelve good and well-known citizens of his place of residence during such two-year period. The good standing of such citizens, as well as the authenticity of the signatures affixed thereon, must be certified to by the County Judge of the county wherein they reside. Such prisoner may then be entitled to the restoration of his citizenship and full rights and privileges of suffrage as provided by the laws of this State; and the Board may, after investigating such facts, and finding no fault

therewith, recommend that such rights and privileges be restored to such prisoner, whereupon the Governor may issue a proclamation to this effect. When the prisoner's parole has not been violated in any way, upon the expiration of the time of his sentence, his citizenship shall become automatically restored, and it shall be the duty of the Governor, when the same is called to his attention, to issue a proclamation to this effect.

Sec. 24-a. Filing of Proclamation. Hereafter, the Governor of the State of Texas shall file with the Secretary of State a copy of the proclamation or other form of release setting forth the reasons for granting clemency or the refusal of clemency to certain convicts and said record shall be open to public inspection at any and all times.

Sec. 25. Appropriation. That the several sums of money herein specified or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, for the support and maintenance of the Board of Pardons and Paroles until September 1, 1937:

1. Board members, three	\$ 4,500.00
2. Secretary	1,200.00
3. Assistant Secretary	900.00
4. Stenographers, four, three at \$105.00 per month, one to be a man, who shall have qualifications of a Court Reporter, at \$150.00 per month	3,255.00
5. File Clerk, at \$105.00 per month	630.00
Total Salaries	\$10,485.00
1. Stationery, printing, postage, telephone, telegraph, office equipment, and supplies, porter hire and contingent	\$ 3,000.00
2. Traveling expenses of members of the Board, and Secretary	3,500.00
Total Miscellaneous	\$ 6,500.00
Grand Total, Salaries and Miscellaneous	\$16,985.00

Sec. 26. Intent of Legislature. If any section, paragraph, part, sentence, clause, or phrase of this Act shall be held unconstitutional, it shall not affect the validity of the remainder and the Legislature hereby declares that it would have passed each and every section, paragraph, part, sentence, clause, and phrase of this Act severally.

Sec. 27. Emergency Clause. The fact that the voters of the State of Texas, at the last general election, expressed their approval of a change

in the pardon and parole system of this State, and the fact that there is no law in effect and force at this time relating to same, and the further fact that there is now no law in effect to govern the new Pardon and Parole Board, create an emergency and an imperative public necessity that requires the Constitutional Rule requiring bills to be read on three several days before passage be suspended, and it is so suspended, and this Act

shall take effect from and after passage, and it is so enacted.

On motion of Mr. McKinney, the report was adopted by the following vote:

Yeas—122

Alexander	Kelt
Alsup	Kenyon
Amos	Kern
Baker	King
Beckworth	Knetsch
Blankenship	Langdon
Boethel	Lankford
Bond	Lanning
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Little
Bridgers	Loggins
Brown	London
Burton	Lucas
Cagle	Mann
Callan	Mauritz
Carsow	Mays
Cathey	McConnell
Cauthorn	McDonald
Cleveland	McFarland
Colquitt	McKee
Davis of Jasper	McKinney
Davison of Fisher	Moffett
Davison	Monkhouse
of Eastland	Morris
Deglandon	Morse
Derden	Newton
England	Nicholson
Farmer	Oliver
Felty	Palmer
Fielden	Patterson of Mills
Fox	Patterson
Gibson	of Travis
Hamilton	Petsch
Hankamer	Pope
Hanna	Powell
Harbin	Prescott
Hardin	Ragsdale
Harper	Reader
Harrell	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Riddle
Heflin	Roark
Herzik	Ross
Holland	Russell
Hoskins	Rutta
Howard	Settle
Hull	Sharpe
Hyder	Simpson
Jackson	Smith of Hopkins
Johnson of Ellis	Smith
Johnson	of Matagorda
of Tarrant	Smith of Tarrant
Jones of Angelina	Stinson
Jones of Wise	Stocks
Keefe	Talbert

Tarwater
Tennant
Tennyson
Thornberry
Thornton
Vale

Waggoner
Walker
Weldon
Westbrook
Winfree
Wood

Present—Not Voting

Skaggs

Absent

Bates	Jones of Falls
Celaya	Leath
Dean	McCracken
Dickison	Quinn
Dollins	Schuenemann
Fuchs	Sewell
Harris of Dallas	Shell
Huddleston	Stevenson
Jones of Atascosa	

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

TO PROVIDE FOR COMMITTEE TO INVESTIGATE PAYMENT OF RENTALS FOR OFFICE SPACE

Mr. Farmer offered the following resolution:

Providing for the appointment of a committee of three (3) to investigate the payment of rentals by the State for office space to private parties; and further providing for the investigation of why the Courts Building has not been erected; and further providing that said committee shall investigate the opportunity for obtaining a P. W. A. loan and grant for the erection of buildings needed by the State of Texas; and giving the committee power to subpoena witnesses, records, and papers, and for the swearing of witnesses and doing all things necessary to carry out the object of this resolution.

Whereas, The Forty-fourth Legislature appropriated Two Hundred Thousand (\$200,000.00) Dollars to build a Courts Building and to assist in securing a grant and loan from the P. W. A.; and

Whereas, The State is paying out more than Fifty Thousand (\$50,000.00) Dollars per year for rentals for office space in the City of Austin to private parties; and

Whereas, The State is in great need for office space to properly transact its increasing business as it ought to be; and

Whereas, It is rumored that the reason why this building has not been erected is because of the neglect of certain State officials, or failing to comply with the requirements exacted by P. W. A. in the matter of a written application; and

Whereas, It is necessary that the Legislature should be properly informed of the facts in this matter to the end that the proper steps may be taken to receive that to which the State is entitled from the Federal Government; and

Whereas, The Federal Government has for disposal to the states millions of dollars for the erection of public improvements in the way of office buildings and other much needed buildings; therefore, be it

Resolved, That the Speaker appoint a committee of three (3) Members of the House to investigate thoroughly these matters and report to the House of Representatives at the earliest date possible such information and recommendations as will carry out the object for obtaining the grants and loans from the Federal Government such as may be given under P. W. A. regulations; and, be it further

Resolved, That the said committee shall have the powers of a District Court to subpoena witnesses, and each member of said committee shall have power to administer oaths, and shall examine witnesses, and under subpoena duces tecum any papers, records or other information material and relevant to this investigation.

Such investigation shall be held in the City of Austin; and such committee, if in its wisdom sees fit, shall draw and introduce a bill or bills to provide for the obtaining of such loan and grant of money from the Federal Government to carry out the matter or matters as set forth in this resolution.

The resolution was read second time.

Mr. Thornton moved that the resolution be referred to the Committee on Public Lands and Buildings.

Mr. Farmer moved to table the motion to refer.

The motion to table was lost.

Question recurring on the motion to refer the resolution, it prevailed.

RELATIVE TO HOUSE BILL NO. 369

Mr. Palmer asked unanimous consent of the House that the following amendment to House Bill No. 369 be adopted:

Amend House Bill No. 369, by striking out the word "making" in the first line on page 2, and insert in lieu thereof the word "marking", and strike out the word "make" in line three on page 2, and insert in lieu thereof the word "mark".

There was no objection offered, and it was so ordered.

GRANTING JUDGE W. R. CHAPMAN PERMISSION TO BE ABSENT FROM THE STATE

The Speaker laid before the House, for consideration, at this time, the following resolution:

S. C. R. No. 49, Granting Judge W. R. Chapman permission to be absent from the State.

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That Honorable W. R. Chapman, Judge of the 104th Judicial District Court of Texas, be, and he is hereby granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the year 1937, taking into consideration the docket of said court.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, March 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 105, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the State Tuberculosis Sanatorium for Negroes for the remainder of the fiscal year, ending August 31, 1937, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations, and declaring an emergency."

S. B. No. 189, A bill to be entitled "An Act to amend Subsection 62,

Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, revision; and to re-arrange, and recreate the 62nd Judicial District of Texas, and declaring an emergency."

S. B. No. 227, A bill to be entitled "An Act amending Section 17 of Article 2815h of the Revised Civil Statutes of the State of Texas, as amended by the Regular Session of the Forty-fourth Legislature, 1935, governing the creation of junior colleges, and declaring an emergency."

S. B. No. 323, A bill to be entitled "An Act to validate the consolidation of contiguous Independent School Districts lying in two or more adjoining counties and elections and proceedings in connection therewith."

S. B. No. 430, A bill to be entitled "An Act amending Subsection 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 103, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session, providing for the time of holding the terms of court of the District Court of the 102nd Judicial District of Texas, naming the counties constituting the same; changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws and parts of laws in conflict, and declaring an emergency."

S. B. No. 431, A bill to be entitled "An Act amending Subsection 76 of Article 199 of the Revised Civil Statutes of Texas, 1925, providing for the time of holding the terms of court of the District Court of the Seventy-sixth Judicial District of Texas, changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this

Act, and validating and legalizing the same, and repealing all laws or parts of laws in conflict, and declaring an emergency."

S. B. No. 432, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 254, Acts of the 43rd Legislature, Regular Session, as amended by Chapter 104, Special Laws of the 43rd Legislature, Regular Session, as amended by Chapter 158, Acts of the 44th Legislature, Regular Session; providing for the reorganization of the Fifth Judicial District, naming the counties constituting the same; fixing the terms of the District Court in the counties of the district; making provisions with reference to process issued, bonds and recognizances made and grand and petit jurors drawn before this Act takes effect; providing for the jurisdiction of said courts as to civil and criminal business, fixing the time of taking effect of this Act; providing for the district clerk of such court; repealing all laws and parts of laws in conflict, and declaring an emergency."

Senate adopted conference report on Senate Bill No. 1 by the following vote: Yeas, 29; Nays, 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 247 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 247, A bill to be entitled "An Act amending Sections 1, 4, 5, 6, 7, 9, and 18, of House Bill 755, Chapter 241, General Laws of the Forty-fourth Legislature, Regular Session; providing that the Comptroller is authorized to promulgate certain rules and regulations to regulate the sale of cigarettes for movement into States adjoining Texas when such cigarettes have the tax stamps of such adjoining State affixed, and declaring an emergency."

The bill was read second time.

Mr. Petsch offered the following amendment to the bill:

Amend Senate Bill No. 247, by adding a new section to be known as

Section 1-A which shall read as follows:

"Section 1A. That Section 3, House Bill 755, General Laws of the Forty-fourth Legislature, as amended by Section 1, Article III, House Bill 8, Acts of the Third Called Session of the Forty-fourth Legislature, be, and the same is hereby amended so as to read hereafter as follows:

Section 3. A "Cigarette Tax Stamp Board" composed of the Board of Control of this State, designated hereafter as the "Board", is hereby created and the said Board shall be and is hereby required to design and have printed or manufactured new cigarette tax stamps of such size and denominations and in such quantities as may be determined by the said Board. The stamps shall be so manufactured as to render them easy to be securely attached to each individual package of cigarettes; provided that a different and separate serial number or combination letter and number may be assigned to and printed on the margin of each sheet of stamps, or other methods of identification be adopted as the Board may decide. The printing or manufacturing of the stamps shall be awarded by competitive bid and the contract shall be awarded to the person submitting the lowest and best bid that will afford the greatest and best protection to the State in the enforcement of the provisions of this Act.

The Board acting through the Treasurer shall, upon receipt of the stamps hereinabove authorized to be printed or manufactured, designate the date of issue of the new design of stamps by issuing a proclamation as hereinafter provided. Provided that the stamps shall be affixed by the distributor on each individual package of cigarettes that will be handled, sold, distributed, or used; that said stamps shall be supplied by said Treasurer to all distributors holding a permit in the State at a discount of five per cent (5%) from the face value; that every distributor shall cause to be affixed to every individual package of cigarettes on which a tax is due, stamps of an amount equalling the tax due thereon, before any such distributor sells, offers for sale, or consumes, or otherwise distributes or transports the same.

From the effective date of this Act, one-third of the net revenue derived from the Act levying the Cigarette

Tax shall be credited to the Available School Fund of the State of Texas, and two-thirds shall be credited to the Texas Old Age Assistance Fund.

The Board is hereby authorized to change the design of the stamps as often as it may deem such change necessary to the best enforcement of the provisions of this Act, and the Treasurer is hereby required to redeem at face value any unused cigarette tax stamps lawfully issued, prior to such change in the design, which are in the possession of any bona fide owner, by exchanging at face value cigarette tax stamps of the new design. Provided that whenever a change is made in the design of the stamps every person holding stamps of the old design shall be required to send them to the Treasurer for exchange at face value for stamps of the new design. Such exchange shall be made within sixty (60) days after the date of issue of the new design of stamps and it shall be unlawful for any person to have in his possession any stamps of an old design after sixty (60) days from the date of issue of any new design; provided it shall be unlawful for any person to sell, offer for sale, or possess for the purpose of sale, cigarettes to which stamps of the old design are affixed after sixty (60) days from the date of issue of a new design; provided, further, that after sixty (60) days from the date of issue of any new design of stamps the old design shall be void and cigarettes with stamps of the old design affixed to the individual package shall, for the purpose of the enforcement of the provisions of this Act, be considered as cigarettes without stamps affixed thereto. It shall be the duty of the Treasurer upon receipt of any new design of stamps authorized to be printed by the Board to designate the date of issue of such new design by the issuance of a proclamation and the date of such proclamation shall be the date of issue of the new design of stamps.

Any person who shall have in his possession any cigarette tax stamps of an old design after sixty (60) days from the date of issue of a new design of stamps shall be guilty of a felony and shall be punished as set out in Section 26 of this Act.

Provided that any cigarette tax stamps may be exchanged only when proof satisfactory to said Treasurer is furnished that any stamps offered

to said Treasurer in exchange were properly purchased and paid for by the person offering to exchange such stamps; provided further, that stamps which are effaced or mutilated in any manner may be refused for acceptance in exchange by said Treasurer.

The Treasurer shall keep a record of all stamps sold by him or under his direction, of all stamps exchanged by him and of all refunds made on stamps purchased.

Orders for cigarette tax stamps shall be sent direct to the Treasurer and it shall be the duty of the Treasurer to invoice the stamps ordered to the purchaser upon a form invoice to be prescribed by the Treasurer, which invoice shall be issued in triplicate and numbered consecutively. The invoice shall show the date of sale, the name and address of purchaser, the number of stamps and their serial numbers, the denomination and value of stamps so purchased. The invoice shall be signed by the Treasurer and the original sent with stamps to the purchaser; the duplicate of the invoice shall be sent to the Comptroller and the triplicate kept by the Treasurer; provided further, that the purchaser of said stamps shall hold the said invoice for a period of two (2) years for inspection at all times by the Comptroller and the Attorney General. No stamp affixed to a package of cigarettes shall be cancelled by any letter, numeral or any other mark of identification or otherwise mutilated in any manner that will prevent or hinder the Comptroller in making an examination as to the genuineness of said stamp.

Stamps in unbroken sheets of one hundred (100) stamps may be exchanged, with the Treasurer only, for stamps of a different denomination. Provided further, that the Treasurer shall be authorized to make refunds on unused stamps in unbroken sheets of not less than one hundred (100) stamps each to the person who purchased said stamps only when proof satisfactory to said Treasurer is furnished that any stamps upon which a refund is requested were properly purchased from said Treasurer and paid for by the person requesting such refund. Such refund shall be made from revenue derived from this Act before such revenue is allocated as herein provided."

PETSCH,
TENNYSON.

Mr. Colquitt offered the following amendment to the amendment:

Amend the amendment in the proper section by striking out "5%" and insert in lieu thereof "4%".

The amendment was adopted.

The amendment, as amended, was then adopted.

Mr. Shell offered the following amendment to the bill:

Amend Senate Bill No. 247, by adding a new section at the end of Section 6 to be known as Section 6A which shall read as follows:

"Section 6A. A distributor may order stamps shipped with draft attached to the bank with which said distributor regularly transacts business. The Treasurer is hereby authorized to ship stamps in compliance with such orders to any such bank authorized to do business in Texas under the laws of this State and the United States. Such stamps, together with the invoice required under Section 3 of the cigarette tax law, shall be attached to a form draft to be prescribed by the State Auditor, which draft shall show the date of shipment, the name and address of the bank, the name of the distributor and the amount of said draft. If said draft is not paid within twenty (20) days of the date thereon, it shall be returned together with the stamps attached to the Treasurer. Any distributor failing to take up such draft and stamps as ordered by him shall be notified at the end of such twenty (20) day period by the Treasurer to appear within five (5) days before the Treasurer to show cause why he should not be denied the privilege of ordering stamps as herein provided, and if such distributor shall fail to show good cause, the Treasurer is hereby authorized to discontinue the shipment of stamps with draft attached as herein provided."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 247 was then passed to third reading.

SENATE BILL NO. 247 ON THIRD READING

Mr. Petsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended,

and that Senate Bill No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Alsup	Kelt
Amos	Kern
Baker	King
Bates	Knetsch
Beckworth	Langdon
Blankenship	Lanning
Boethel	Leath
Bond	Leyendecker
Boyer	Loggins
Bradbury	London
Bradford	Lucas
Brown	Mann
Burton	Mauritz
Cagle	Mays
Callan	McConnell
Carssow	McCracken
Cathey	McDonald
Cauthorn	McFarland
Cleveland	McKee
Colquitt	McKinney
Davis of Jasper	Moffett
Davisson	Monkhouse
of Eastland	Morris
Dean	Morse
Deglandon	Nicholson
Derden	Oliver
Dickison	Patterson of Mills
Dollins	Patterson
England	of Travis
Felty	Petsch
Fielden	Powell
Fox	Prescott
Gibson	Quinn
Hamilton	Ragsdale
Hanna	Reader
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harper	Riddle
Harrell	Roark
Harris of Archer	Ross
Harris of Dallas	Rutta
Harris of Dickens	Schuenemann
Hartzog	Settle
Heflin	Sewell
Herzik	Shell
Holland	Simpson
Hoskins	Skaggs
Huddleston	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant
Jackson	Stevenson
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tarwater
Jones of Falls	Tennant
Jones of Wise	Tennyson
Keefe	Thornberry

Thornton
Vale
Waggoner
Walker

Weldon
Westbrook
Winfree
Wood

Nays—5

Lankford
Palmer
Pope

Rhodes
Russell

Absent

Alexander	Jones of Atascosa
Bridgers	Kenyon
Celaya	Leonard
Davison of Fisher	Little
Farmer	Newton
Fuchs	Sharpe
Hankamer	Smith of Hopkins
Howard	

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

The Speaker then laid Senate Bill No. 247 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Alsup	Farmer
Amos	Felty
Baker	Fielden
Bates	Fox
Beckworth	Gibson
Blankenship	Hamilton
Boethel	Hanna
Bond	Harbin
Boyer	Hardin
Bradbury	Harper
Bradford	Harrell
Burton	Harris of Archer
Cagle	Harris of Dallas
Callan	Harris of Dickens
Carssow	Hartzog
Cathey	Heflin
Cauthorn	Herzik
Cleveland	Holland
Colquitt	Hoskins
Davis of Jasper	Howard
Davison of Fisher	Huddleston
Davisson	Hull
of Eastland	Hyder
Dean	Jackson
Deglandon	Johnson of Ellis
Derden	Johnson
Dickison	of Tarrant
Dollins	Jones of Angelina
England	Jones of Falls

Jones of Wise	Prescott
Keefe	Quinn
Kelt	Ragsdale
Kern	Reader
King	Reed of Bowie
Knetsch	Reed of Dallas
Langdon	Riddle
Lanning	Roark
Leath	Ross
Leyendecker	Rutta
Loggins	Settle
London	Sewell
Lucas	Shell
Mann	Simpson
Mauritz	Smith
Mays	of Matagorda
McConnell	Smith of Tarrant
McCracken	Stevenson
McDonald	Stinson
McFarland	Stocks
McKee	Talbert
McKinney	Tarwater
Moffett	Tennant
Monkhouse	Tennyson
Morris	Thornberry
Morse	Thornton
Newton	Vale
Nicholson	Waggoner
Oliver	Walker
Patterson of Mills	Weldon
Patterson	Westbrook
of Travis	Winfree
Petsch	Wood
Powell	

Nays—7

Brown	Rhodes
Lankford	Russell
Palmer	Skaggs
Pope	

Absent

Alexander	Kenyon
Bridgers	Leonard
Celaya	Little
Fuchs	Schuenemann
Hankamer	Sharpe
Jones of Atascosa	Smith of Hopkins

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

SENATE BILL NO. 261 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 261, A bill to be entitled "An Act amending Section 14, Chap-

ter 277, Acts of the Regular Session, Forty-second Legislature, 1931, as amended by the Forty-third Legislature, 1933, relating to motor carriers, and declaring an emergency."

The bill was read second time.

Mr. Leath offered the following committee amendments to the bill:

Amend Senate Bill No. 261, by striking out, in the second line of the second paragraph of Section 1, the word "herein", and substituting therefor the words "hear and".

Amend Senate Bill No. 261, line 6 of the second paragraph of Section 1, by striking out the words "Such examiners" and insert in lieu thereof the words "Any such examiner".

Amend Senate Bill No. 261, in line 8 of the second paragraph of Section 1, by striking out the word "them", and insert in lieu thereof the word "him".

The amendments were severally adopted.

Mr. England offered the following amendment to the bill:

Amend Senate Bill No. 261, page 2, line 7, by striking out the entire sentence commencing with the word "Such" and closing with the word "law" in line 9.

ENGLAND,
MORRIS,
BAKER,
JONES of Falls.

Mr. Blankenship offered the following substitute for the amendment by Mr. England:

Amend Senate Bill No. 261, line 9, page 2, by changing the words "5 years" to read "3 years".

Mr. England moved to table the substitute amendment.

The motion to table was lost.

Mr. Blankenship withdrew the substitute amendment.

Mr. Knetsch offered the following substitute for the amendment by Mr. England:

Amend Senate Bill No. 261, by striking out on page 2, lines 8 and 9 the following: "and must have had at least five (5) years experience in the general practice of the law".

Mr. Harris of Dallas moved that further consideration of Senate Bill No. 261 be postponed until 11:00 o'clock a. m., tomorrow.

The motion prevailed.

SENATE BILL NO. 340 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 340, A bill to be entitled "An Act creating a Special Road Law for Pecos County, Texas, providing that said County may fund or refund designated interest-bearing time warrants in an amount not exceeding \$52,000.00 and designated scrip warrants in an amount not exceeding \$56,000.00 outstanding against its Road and Bridge Fund as of February 20, 1937, by the issuance of funding bonds, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 340 ON THIRD
READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 340 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Alexander	England
Alsup	Farmer
Amos	Felty
Baker	Fielden
Beckworth	Fox
Blankenship	Fuchs
Boethel	Gibson
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hanna
Bridgers	Harbin
Brown	Hardin
Burton	Harrell
Cagle	Harris of Archer
Callan	Harris of Dallas
Carssow	Hartzog
Cathey	Heflin
Cauthorn	Herzik
Celaya	Holland
Cleveland	Hoskins
Colquitt	Howard
Davis of Jasper	Hull
Davison of Fisher	Hyder
Davisson	Jackson
of Eastland	Johnson of Ellis
Deglandon	Johnson
Derden	of Tarrant
Dickison	Jones of Angelina
Dollins	Jones of Falls

Jones of Wise
Keefe
Kelt
Kenyon
Kern
King
Knetsch
Lankford
Lanning
Leath
Leonard
Leyendecker
Little
Loggins
London
Lucas
Mann
Mauritz
Mays
McConnell
McCracken
McDonald
McFarland
McKee
McKinney
Moffett
Morris
Morse
Newton
Nicholson
Oliver
Palmer
Patterson of Mills
Patterson
of Travis
Petsch

Pope
Powell
Prescott
Quinn
Reader
Reed of Bowie
Reed of Dallas
Rhodes
Riddle
Roark
Russell
Rutta
Schuenemann
Settle
Sewell
Shell
Simpson
Skaggs
Smith of Hopkins
Smith
of Matagorda
Stinson
Stocks
Talbert
Tarwater
Tennant
Thornberry
Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Winfree
Wood

Absent

Bates	Monkhouse
Bond	Ragsdale
Dean	Ross
Harper	Sharpe
Harris of Dickens	Smith of Tarrant
Huddleston	Stevenson
Jones of Atascosa	Tennyson
Langdon	

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

The Speaker then laid Senate Bill No. 340 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—124

Alexander	Baker
Alsup	Bates
Amos	Beckworth

Blankenship	Leyendecker
Boethel	Little
Boyer	Loggins
Bradbury	London
Bradford	Lucas
Bridgers	Mauritz
Burton	Mays
Cagle	McConnell
Callan	McCracken
Carssow	McDonald
Cathey	McFarland
Cauthorn	McKee
Celaya	McKinney
Cleveland	Moffett
Colquitt	Monkhouse
Davis of Jasper	Morris
Davison of Fisher	Morse
Deglandon	Newton
Derden	Nicholson
Dickison	Oliver
Dollins	Palmer
England	Patterson
Farmer	of Travis
Felty	Petsch
Fielden	Powell
Fox	Prescott
Fuchs	Quinn
Gibson	Ragsdale
Hamilton	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Harbin	Rhodes
Hardin	Riddle
Harper	Roark
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Schuenemann
Hartzog	Settle
Heflin	Sewell
Herzik	Simpson
Holland	Skaggs
Howard	Smith of Hopkins
Hull	Smith
Hyder	of Matagorda
Jackson	Smith of Tarrant
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tarwater
Jones of Falls	Tennant
Jones of Wise	Tennyson
Keefe	Thornberry
Kelt	Thornton
Kenyon	Vale
Kern	Waggoner
King	Walker
Knetsch	Weldon
Lankford	Westbrook
Lanning	Winfree
Leath	Wood
Leonard	
	Absent
Bond	Davisson
Brown	of Eastland

Dean	Patterson of Mills
Harris of Dickens	Pope
Hoskins	Ross
Huddleston	Sharpe
Jones of Atascosa	Shell
Langdon	Stevenson
Mann	

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

SENATE BILL NO. 351 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 351, A bill to be entitled "An Act creating a Special Road Law for Montague County, Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 351 ON THIRD READING

Mr. London moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Alsop	Dollins
Amos	England
Baker	Farmer
Bates	Felty
Beckworth	Fielden
Blankenship	Fox
Boethel	Fuchs
Boyer	Gibson
Bradbury	Hamilton
Bradford	Hankamer
Bridgers	Hanna
Burton	Harbin
Cagle	Hardin
Callan	Harper
Carssow	Harrell
Cathey	Harris of Dallas
Cauthorn	Hartzog
Celaya	Herzik
Cleveland	Holland
Colquitt	Hull
Davis of Jasper	Hyder
Davison of Fisher	Jackson
Deglandon	Johnson of Ellis
Derden	Johnson
Dickison	of Tarrant

Jones of Angelina	Quinn
Jones of Falls	Ragsdale
Jones of Wise	Reader
Keefe	Reed of Bowie
Kelt	Reed of Dallas
Kern	Rhodes
King	Riddle
Knetsch	Roark
Lankford	Ross
Lanning	Russell
Leath	Rutta
Leonard	Schuenemann
Leyendecker	Settle
Little	Sewell
London	Simpson
Lucas	Skaggs
Mays	Smith of Hopkins
McConnell	Smith
McCracken	of Matagorda
McDonald	Smith of Tarrant
McFarland	Stevenson
McKee	Stinson
McKinney	Stocks
Moffett	Talbert
Monkhouse	Tarwater
Morris	Tennant
Morse	Tennyson
Newton	Thornberry
Nicholson	Thornton
Oliver	Vale
Palmer	Waggoner
Patterson	Walker
of Travis	Weldon
Pope	Westbrook
Powell	Winfree
Prescott	Wood

Absent

Alexander	Huddleston
Bond	Jones of Atascosa
Brown	Kenyon
Davison	Langdon
of Eastland	Loggins
Dean	Mann
Harris of Archer	Mauritz
Harris of Dickens	Patterson of Mills
Heflin	Petsch
Hoskins	Sharpe
Howard	Shell

Absent—Excused

Adkins	James
Bell	Keith
Broadfoot	Metcalfe
Davis of Haskell	Worley
Graves	

The Speaker then laid Senate Bill No. 351 before the House on third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 202 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 202, A bill to be entitled "An Act providing that Senate Bill No. 146, Chapter 181, Subsection (2) of Section 12, enacted by the Regular Session of the Forty-fourth Legislature, be amended by eliminating said Subsection (2) and further providing for fifteen captains, twenty sergeants and three hundred privates in the Texas State Highway Patrol, and declaring an emergency."

The bill was read second time.

Mr. Derden offered the following amendment to the bill:

Amend House Bill No. 202, by adding to Section 1, the following:

"Subsection (2A). All section foremen of the Texas Highway Department shall be commissioned with authority to make arrests of law violators on State Highways, but they shall not receive any additional pay for such service."

Mr. Harris of Dallas raised a point of order, on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 202, by adding at the end of Section 1, the following:

"Provided that if an applicant be otherwise qualified as a private hereunder, his literary attainments shall not preclude his appointment as such private."

The amendment was adopted.

Mr. Petsch offered the following amendment to the bill:

Amend House Bill No. 202, by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. That Senate Bill No. 146, Chapter 181, Subsections (2) and (4), Section 12, passed by the Regular Session of the Forty-fourth Legislature be amended by striking out and eliminating all of Subsections (2) and (4) of Section 12, and by inserting in lieu thereof the following:

"Section 12.

"Subsection (2). The Texas Highway Patrol Division of the Department of Public Safety shall consist of a chief patrol officer, who shall be the executive officer of the Patrol, such captains, sergeants, privates and clerical help as may be provided for in the Departmental Appropriation Bill."

Section 2. The officers, non-commissioned officers and enlisted officers shall be and are hereby clothed with all the power and authority necessary in the proper enforcement of all highway and motor vehicle registration laws and such other authority as may be required to enforce all violations of criminal laws on the public highways of this State and to arrest all law violators coming upon such highways. Provided, however, that the Texas Highway Patrol may upon the proper proclamation by the Governor of Texas in emergencies be used for any and all law enforcement purposes.

Section 3. The fact that motor vehicle traffic upon the highways of Texas has tremendously increased in the past few years, and the further fact that the lives and property of the citizens of Texas are endangered in the daily traffic on the highways makes it imperative and necessary that the rule requiring bills to be read on three several days in each House be suspended, and this Act shall be in force from and immediately after its passage.

PETSCH,
ALEXANDER.

Question—Shall the amendment be adopted?

**BILLS AND RESOLUTION SIGNED
BY THE SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 101, "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Mexican Fruit Fly, Citrus Canker, and other pests, and declaring an emergency."

S. B. No. 1, "An Act repealing Article 6203, Revised Civil Statutes of 1925 as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session, Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session of the Forty-first Legislature, creating a Board of Pardons and Paroles, fixing their terms of office, providing a method of appointment thereto and authorizing recess appointments, and declaring an emergency."

S. C. R. No. 49, Granting Judge W. R. Chapman permission to be absent from the State.

**SENATE BILLS ON FIRST
READING**

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 105, to the Committee on Appropriations.

Senate Bill No. 189, to the Committee on Judicial Districts.

Senate Bill No. 227, to the Committee on Education.

Senate Bill No. 323, to the Committee on Education.

Senate Bill No. 430, to the Committee on Judicial Districts.

Senate Bill No. 431, to the Committee on Judicial Districts.

Senate Bill No. 432, to the Committee on Judicial Districts.

MESSAGE FROM THE SENATE

Austin, Texas, March 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted:

H. C. R. No. 37, Granting C. A. Lanier permission to sue the State.

H. C. R. No. 38, Granting A. J. Laas permission to sue the State.

H. C. R. No. 39, Granting Mrs. Joe W. Taylor permission to sue the State.

H. C. R. No. 46, Granting E. A. Eliot permission to sue the State.

H. C. R. No. 41, Granting Clement Grain Co. permission to sue the State.

H. C. R. No. 42, Granting Mrs. Pearl Crenshaw permission to sue the State.

H. C. R. No. 45, Granting Mrs. W. F. Sewell permission to sue the State.

H. C. R. No. 47, Granting Mrs. Patsy B. Smith permission to sue the State.

H. C. R. No. 43, Relative to the George-Deen Act in Congress.

H. C. R. No. 52, Relative to cold drink stand in old Walton Building. (With amendment.)

H. C. R. No. 53, Granting D. A. Snyder permission to sue the State.

H. B. No. 162, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict therewith, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

Mr. Newton moved that the House recess to 2:00 o'clock p. m., today.

Mr. Colquitt moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. McCracken moved that the House recess to 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Colquitt, it was lost.

Question next recurring on the motion by Mr. Newton, it was lost.

Mr. Thornton moved that the House recess to 2:30 o'clock p. m., today.

Mr. Morse raised a point of order, on further consideration of the motion by Mr. Thornton, on the ground that when a series of motions to adjourn or recess have been made, the series of motions must be disposed of before the making of other motions to adjourn or recess.

The Speaker sustained the point of order.

Question then recurring on the motion by Mr. McCracken, it prevailed, and the House, accordingly, at 12:15 o'clock p. m., took recess to 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Agriculture: House Bills Nos. 99, 500, 653, 654, 773, 857, 855 and 899.

Appropriations: House Bill No. 643.

Education: House Bills Nos. 562, 789, 796, 854 and 912; House Concurrent Resolution No. 33.

Game and Fisheries: House Bills Nos. 624, 896 and 995.

Highways and Motor Traffic: Senate Bills Nos. 340 and 351.

Labor: House Bill No. 981.

Public Health: House Bill No. 440.

The following committees have filed adverse reports, with minority favorable reports, on bills, as follows:

Public Lands and Buildings: House Bill No. 423.

State Affairs: House Bill No. 833.

The Committee on Education filed adverse reports on bills and resolutions, as follows:

House Bills Nos. 278, 702 and House Simple Resolution No. 38.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 101, "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fourth Legislature for the fiscal year ending August 31, 1937, found on page 1053, Acts of the Regular Session of the Forty-fourth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Mexican Fruit Fly, Citrus Canker, and other pests, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.